M E M O R A N D U M

TO: VICKI B. THOMPSON DATE: MAY 4, 1984

FROM: DAVID K. HARDY

RE: CIPOLLONE v. LORILLARD, ET AL.

The following are my notes from preparation of Curt Judge. The first section relates to witness preparation which is not case specific. It will be applicable to the preparation of all witnesses and should be the first section in our briefing book. Subsequent sections are divided by major topic, e.g., advertising, research, personal questions. Within each topic my notes consist primarily of mock examination questions which I directed to Curt. Many of them will be appropriate for future witnesses. Where you have any doubt please include the question in the briefing book.

The last section of the memo will consist of a few observations I have about topics which came up in Curt's deposition that are not covered in the earlier sections. You can fit them in to the proper categories when you are setting up the briefing book.

At this point I envision a briefing book as being appropriate for Ave, Mau and Flinn, with additional sections to be added in the future for Alex Spears and Arthur Stevens. When you review Judge's deposition, although you will be doing so with Ave, Mau and Flinn principally in mind, you might as well take the opportunity to note references to Spears and to Stevens which would be appropriate for their sections. In other words, your deposition review should take you a long way toward draft sections for Spears and Stevens, even though there is no need to finalize such sections by May 13. Unfortunately, as I told you by phone, that date has to be the deadline for having the book in final form as to Ave and Mau.

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WWS 1st page
LES
DKHY
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PMS 1st pages
ARP
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BVO 1st pages
AKS
WLC (CIP. onl
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WET
MDS (MED.)
JOC
MBS 1st pages

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GENERAL WITNESS PREPARATION

1. Say nothing "substantive" off the record and nothing on the record, except in response to a question from the attorney examining you.

2. What is plaintiff looking for in general?

A. Evidence favorable to his case.

B. Commit you to a position under oath.

C. Ways to discredit you, the company and the other defendants.

3. Remember the plaintiff is the enemy. No matter how charming he may be, he is out to screw you and the company.

4. Do not volunteer.

A. Answer "yes" or "no" unless the simple answer leaves your testimony in an unfavorable light.

B. If asked for an example, give only one.

C. Don't help plaintiff word his questions (don't load his gun).

D. Right: Do you have "X" file? Answer: No. Wrong: Do you have "X" file? Answer: No. Mau has it.

5. Be sure you understand the question. Don't be afraid to ask for a repeat, a rephrasing or say "I don't understand."

6. Never answer until the question is over. Take time to think. Set your own pace.

7. Never guess. If you don't know, say so.

Watch out for "don't guess. Just give me your best judgment." If that is a guess say "I don't know."

8. If you don't remember, say so. Testify from memory, not assumption.

9. Patience. Don't make the "let's get it over with fast" mistake.

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10. Never lose your temper.

11. Don't swear or be cute. Be polite but firm.

12. Speak--do not nod.

13. Complete your answer. If plaintiff cuts you off, wait until he finishes, then tell him you had not finished your other answer and finish it.

14. Correct a wrong answer whenever the error occurs to you, after first alerting your attorney.

15. Documents.

A. Never testify to the contents of a document unless you have had a chance to review it.

B. Keep the document in hand while answering.

16. Listen to objections (and leave time for them before answering).

A. The objection may point out something to you, e.g., that plaintiff is being vague or misleading.

17. Do not fall for style.

18. Bring nothing.

A. You reviewed nothing.

19. Never assume falsely (hypotheticals).

A. Likely to come up on interpretation of True ads. "I can't give a rational answer to a question based on an irrational assumption."

20. Be consistent if plaintiff is repetitious.

21. Be comfortable. Don't hesitate to ask for a break.

22. Watch out for changes in subject matter.

23. Do not accept as fact, questions started with phrases like "you know, of course . . ."

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24. Watch out for vanity--"as president you knew didn't you what research Lorillard was doing with animals?"

25. If plaintiff misstates your prior testimony, correct him. Watch out for summaries of your testimony that may be incomplete.

26. The "have you talked to anyone about this case" question.

27. The "how high is up" question.

A. "Was it long?"--I don't know what you mean by long.

28. Have you stopped beating your wife. E.g., does the current true formula still have the same harmful components as the original True formula or have you made changes?

29. The "you could have done better" question. Say--I don't know what you mean by better but I think our True cigarette is a good [illegible]

[illegible] "impossible" question. Are you saying Lorillard cannot [illegible] make a safer cigarette?

31. Sometimes a lawyer will add "if you remember" because he thinks it encourages you to say you do not remember.

32. Don't ever say "not to my knowledge" if the real answer is "I don't know." The two statements have different implications.

33. "Primrose path" questions--usually involve general concepts and "would you agree" and "duty" and "responsibility."

34. Silent treatment. Don't be intimadated or confused into talking.

35. Is that all. That's all I remember at this time.

36. "Punch after the bell" questions.

37. Don't try to divert plaintiff into another area.

38. The collective "you." Who is "you?"

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39. When your answer is a negative, say cannot or do not as opposed to can't or don't.

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BACKGROUND, EDUCATION AND TRAINING

1. Be complete but do not overreach. Plaintiff will use any expertise against you later.

2. Plaintiff will go into great detail on your background expertise including work done prior to Lorillard.

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CORPORATE HISTORY AND STRUCTURE

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QUESTION RE ATTORNEYS AND RE PREPARATION FOR DEPOSITION

1. Who are the Lorillard in-house attorneys who deal with smoking and health issues?

2. Do they clear ads?

3. Do you have regular outside counsel who advise you on smoking and health issues?

4. Do they clear ads?

5. Do they represent Lorillard in health litigation?

6. Are they working with Lorillard on Cipollone, Reach? Haines?

7. Did they meet with you in preparation for this deposition?

8. Who and when?

9. Which attorneys advise TI on smoking and health?

10. When you testified before Congress or gave such and such a speech, who prepared you? [I prepared myself, but attorneys advised me.]

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PERSONAL QUESTIONS

1. Your health, past and present.

2. Do you smoke? When did you start? Have you ever quit? Hard? Doctor ever advise you to quit?

3. Do you have children? Ever advise them about smoking? What did you tell them?

4. Do you believe smoking causes lung cancer in some people?

5. What would it take to convince you? [I don't know.]

6. Do you believe smoking is addictive?

7. But you'll agree that the cigarette habit is very hard for someone to break?

8. Do you believe smoking causes any diease?

9. Your salary and fringe benefits?

10. All your public statements? Who else at Lorillard?

11. What do you think would happen to Lorillard if this case were lost?

12. What would you do if you became convinced personally that cigarette smoking causes lung cancer? Would you get out of the business? Do you think Lorillard would get out of the business if it was proven that cigarette smoking causes lung cancer?

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TRUE ADVERTISING

1. You have been intimately involved with Lorillard's advertising and marketing strategy since your arrival at the company, correct?

2. You have been one of the company's leading figures in planning general marketing and advertising strategy for True cigarettes, correct?

3. Who else has been instrumental in planning?

4. You decided to reduce True's tar and nicotine content? Why? Appeal to the health conscious smoker? Get smoker's worri[illegible] their health and switch to True? And that approach is refl[illegible]illard's True ads, isn't it? You want people to feel safer [illegible] You don't admit that cigarettes cause disease? But your ad ca[illegible]s designed to appeal to the fears of smokers who are worried about disease? What evidence do you rely on to imply that True is healthier than high tar and nicotine cigarettes? Your marketing research revealed that many smokers are concerned about disease?

5. Aren't you responsible for the True ad campaigns between 1972 and 1982? Including "gentle on your mind" and "quit or smoke True?"

6. Look at these ads-don't they mean this or that? [Ads speak for themselves.] What were you telling the smoker? These ads suggest that cigarettes may not be dangerous, don't they?

7. These ads were used during the same time period that CTR was telling you smoking is dangerous, right?

8. Who at Lorillard can provide the detailed information on the sale, marketing and advertising of True between 1972 and 1982?

9. Who were your outside ad agencies?

10. Are you familiar with the Roper survey? What is it? Why was it done?

11. Are your familiar with "Comments of the Tobacco Institute on the FTC Staff Report on Cigarette Advertising Investigation?

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12. Are you familiar with the FTC staff report?

13. Surgeon General reports?

A. Who evaluates it at Lorillard?

14. Who at Lorillard is responsible for studying the FTC reports?

15. How did the cigarette advertising code come into existence?

16. Do the companies still adhere to it?

17. How did Lorillard's advertising change after the code came into effect?

18. Did your company engage in the 1950s low tar advertising?

19. Did Lorillard make health claims in its advertising?

20. Wasn't your 1970s True advertising directed at women?

21. How much do you spend on ads?

How do you plan an ad campaign?

Are you familiar with the current RJR ad campaign?

A. Is Lorillard considering a similar campaign?

B. Why not?

24. Ads are designed to make smoking seem glamorous?

25. Review second set of requests for production, e.g., brand perception testing, etc.

26. Youth smoking questions.

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CONTROVERSY

1. What is the primary issue?

2. What is the scientific controversy?

3. The statistical evidence against cigarettes is very strong isn't it?

4. Do you agree with the R.J. Reynolds' statements in its current campaign?

5. When did you first hear about smoking causing lung cancer?

6. What is the earliest scientific literature of which you are aware linking smoking to lung cancer?

7. What is the evidence that smoking causes lung cancer?

8. What is the evidence that smoking does not cause lung cancer?

9. Do you agree with President Reagan that the single most important step to prevent cancer is to avoid smoking?

10. Do you agree with the statement that smoking causes 300,000 U.S. deaths a year?

11. WHO report that it causes a million premature deaths a year?

12. What are the benefits of smoking?

13. What is good about smoking?

14. What do you understand to be the alleged risk?

15. Do you think the benefits outweigh the risk?

16. Have you done research on the benefits?

17. Is there evidence that low tar and nicotine cigarettes are safer? Has Lorillard done research?

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18. Barclay [instruction not to answer]

19. Would you include as a social benefit of smoking that smokers don't live as long and thus are not so great a burden on the Social Security System?

20. Should teenagers smoke?

21. People with emphysema? Heart disease? Pregnant women?

22. What is an informed choice?

23. Why do people smoke filters?

24. What reports have you received with regard to smoking and lung cancer on addiction? Any reports issued by Lorillard? What did you do in reaction to these reports?

25. What records do you keep personally?

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RESEARCH

Ingredients

1. What ingredients were in True cigarettes from 1/1/72 through 1981? Have you ever given that information to outside agencies or organizations or people?

2. How do you decide what goes into a cigarette and what does not?

3. What do you do before you add something to tobacco in a cigarette?

4. Tell me when Lorillard began testing ingredients?

5. What ingredient testing did Lorillard do between 1940 and 1982?

6. Who has that information?

7. Some of the ingredients in True are known cancer causing agents, aren't they?

8. Have you seen the April 1984 article in the Washington Monthly?

Addiction

1. How do you define addiction?

2. Some people find it very hard to quit smoking, agreed?

3. What research has Lorillard done to determine if cigarettes are addictive?

4. When did you first learn of scientific literature saying that smoking is addictive?

5. What is the earliest literature on that subject?

6. Have you funded or sponsored independent research on smoking and addiction?

7. Who can tell me that specifically?

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Lunc Cancer

1. What research has Lorillard done in-house to determine if smoking causes lung cancer? Who does that? Who supervises Lorillard research on smoking and health? Money spent?

2. What outside research have you supported? (1940 to 1982). Money spent?

3. What is CTR? It was created by the tobacco companies, wasn't it?

4. Has CTR supported research which resulted in published reports linking smoking with lung cancer? Addiction?

5. Are all the companies in CTR? Why not?

6. Money paid to CTR?

7. Where are the libraries with scientific literature [watch out for LS, Inc.]

8. Who can tell me about Lorillard's knowledge of the scientific literature from 1940 to 1982?

9. Has Lorillard done any animal skin painting studies? Is that to learn more about a possible relationship between smoking and lung cancer?

10. If skin painting studies are not valid why do you do them?

11. Did you ever make an asbestos filter? [Instruction not to answer.]

12. Has Lorillard ever cooperated with the federal government on research? The Heart Association, Lung Association, American Cancer Society?

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WARNINGS

1. Did Lorillard try to prevent the passage of the Cigarette Advertising and Labeling Act?

2. Do you think the warning was necessary in 1966? 1969? 19,5? Today?

3. The warning says nothing about specific disease, does it? Or addiction?

4. Do you think people ought to be warned that smoking may be addictive?

5. Should warnings be removed from packages?

6. Why didn't Lorillard warn in the 1950s and early 1960s?

7. There was a controversy before the Surgeon General's Report, wasn't there? If there was statistical evidence in 1950s and early 1960s linking smoking to lung cancer, shouldn't consumers have been told?

8. Doesn't "gentle on your mind" or "quit or smoke True" contradict the warning?

9. Wasn't Lorillard fined by the FTC for inadequate warnings?

10. Have you been in meetings discussing whether Lorillard should add something to the warning?

11. Has your company ever considered giving a better warning?

12. Why did the companies offer to go off television and advertising?

13. Hasn't Lorillard lobbied to weaken the warning?

14. Do you think the warning helps you in lawsuits?

15. Do you feel the warning label legislation preempts individual plaintiff claims?

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16. Should the warning be abolished?

17. Was federal legislation the only reason you warned?

18. If the requirements were dropped would you keep the warning? [I don't know.]

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THE TOBACCO INSTITUTE

1. During what period has Lorillard been a member of TI?

2. Are all companies in TI? Why not?

3. What is TI?

4. What is its purpose?

5. What committees are there?

6. Names of company representatives?

7. Function of committees?

8. Minutes?

9. TI is controlled by the member companies, isn't it?

10. It advertises and lobbies for the tobacco companies, doesn't it?

11. And when TI speaks it is speaking as an agent for the companies?

12. What is your personal role at TI? Years in that positic[illegible]s?

[illegible]. Who are the Tobacco Institute lobbyists? They are indirectly Lorillard's lobbyists, aren't they?

14. Where does the money to pay them come from?

15. Have you lobbied?

16. Who at Lorillard has the minutes of Tobacco Institute committee meetings?

17. Who has correspondence with the Tobacco Institute regarding lung cancer, warnings, etc.?

18. You have discussed smoking and lung cancer at your Tobacco Institute meetings, haven't you? How often? In minutes? why not?

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19. What research does the Tobacco Institute fund?

20. What kind of surveys does the Tobacco Institute do?

21. At executive committee meetings have you discussed ways to advise the public about smoking and health?

22. Any recommendations from the executive committee of the Tobacco Institute to RJR re their ad campaign?

23. Who clears statements on smoking and health by the Tobacco Institute spokespersons?

24. Are you familiar with the Tobacco Institute document called "Cigarette Smoking and Cancer: A Scientific Perspective 1982?" "Smoking and Health 1964-1979 The Continuing Controversy?"

25. Who prepared these materials? Done at your direction? Whose?

26. Isn't one function of the Tobacco Institute to persuade the public that smoking is not a proven cause of lung cancer?

27. Isn't one function of the Tobacco Institute to persuade the public that smoking does not cause lung cancer?

28. Does that statement contradict the warning?

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MISCELLANEOUS

1. When is a person an adult? [No age. When they are able to make mature decisions.]

2. Does CNA give nonsmoker discounts on premiums?

3. Are you familiar with the FTC investigation into the 1/15/68 article in True Magazine entitled "To Smoke or Not to Smoke--That is Still the Question?" That article was paid for by tobacco companies, wasn't it?

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Source: https://www.industrydocuments.ucsf.edu/docs/knbb0003

The following is a list of items we discussed with Curt Judge at the conclusion of his preparation to be sure he was clear on the Lorillard position. It should be incorporated into the proper sections of the Ave, Mau briefing book with references to both the questions and the desirable answers, where indicated.

1. Celebrities--Lorillard has not used celebrities since the witness has been with the company and if asked he doesn't know why it was done earlier. Unable to testify about effect of celebrity advertising on the consumer.

2. Lorillard never reduced tar and nicotine for safety reasons.

3. Public knowledge--when--back to his first childhood recollections. "As long as I can remember people have known smoking might not be good for them."

4. Could a person reasonably conclude that smoking does not cause lung cancer?--Yes, but such a person would also be aware that it may cause lung cancer.

5. Why don't your company and Tobacco Institute activities undercut the warning? "Because we don't say smoking is not dangerous, we simply point out that it is a continuing scientific controversy." Never give an inch with regard to undercutting, diluting or contradicting the warning.

6. Do not at any time say that the company would get out of the business if it was proved that cigarettes caused lung cancer or some other disease. This is simply an "I don't know" area.

7. Curt Judge offered to share additive research at the Waxman hearing. Has that been shared and with whom?

8. Lorillard has a product development committee. How does it work?

9. Questions about the Auerbach smoking dog studies. Has the Tobacco Institute ever attacked or criticized a piece of scientific evidence on smoking and lung cancer?

10. Has Lorillard ever used asbestos in its filter? Restrict to True. Give answer "True cigarettes do not and have never had asbestos."

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11. Barclay. [Instruct not to answer.]

12. RJR campaign. [Instruct not to answer.]

13. Why shouldn't kids smoke? That is an adult decision.

14. Additives. Put off on Spears. Never say "D5."

15. Skin painting. "I don't know."

16. Why did you wait until 1972 to put the warning on advertising. "We're not sure it's necessary, but we did it as part of a consent decree."

17. Do you get reports from Lorillard on adverse effects of cigarettes--Lorillard work?

18. What are your files?

19. FTC fines for inadequate warnings. That was a placement issue, not an adequacy issue.

20. Did anyone get information from you to help on interrogatory answers and requests for production? Yes. Lorillard attorneys--I discussed matters with counsel [instruction].

21. Any industry research committees? Committees that directed research.

22. Lorillard market strategy where research showing that consumers are interested in low tar and nicotine for health reasons. "Our research was not for that purpose, but we are aware that that is one reason consumers are interested in low tar and nicotine. That is generally known."

23. Off radio and TV.

24. Contemplated changes in corporate structure. [Instruction not to answer].

25. Do not purport to state a company position on the primary issue.

26. Hard to quit but not addictive? "I've heard that some people find it hard."

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27. Social utility. Cannot balance for other people--it is an individual matter.

28. Quit or smoke True and gentle on your mind--what was meant. Do not use the word "concern."

29. Does the company have an obligation to prove that low tar and nicotine cigarettes are safer before they advertise low tar and nicotine to the consumer who is health conscious?

I don't concede that cigarettes on the market are unsafe so I don't know how I can respond to a question regarding safer cigarettes.

30. CTR--"funds research." No reference to retrieval system or special project.

The next section, unavoidably brief, consists of items I recall from Curt's deposition which are not covered in the preceding sections. This section of the memorandum is of limited use to you. Obviously Curt's deposition will be the principal source. My thoughts are set forth here just to give you a few days head start before the deposition arrives.

1. Curt was asked what the brand name True means or conveys to him. He was asked to think about this when he said that he didn't know and was pushed pretty hard on it a time or two. I don't know whether your document work indicates any company marketing research that sets forth information as to a meaning attached to that brand name, but if so you should set it forth in the briefing book.

2. Edell is trying to expand the scope of discovery with respect to advertising and all areas of marketing through the argument that marketing plans and every facet of that business form the base experience which an executive or employee uses in later advertising. He will question the witness in a way designed to show that campaigns on other brands from 1972 to 1982, campaigns on True prior to 1972, and campaigns on other brands prior to 1972 are all used directly or indirectly in marketing True cigarettes between 1972 and 1982. The witness must be very careful in this area in order to avoid acceptance of the concept that relevant time period True ads are significantly related to earlier work and/or other brand work during the same time period.

The witnesses will be examined in close detail about the five year market plan that was brainstormed by Curt Judge, Ave and perhaps to some degree the Tisches in the mid-1970s.

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There will be detailed questions about the "ABCs" of advertising, what basic principles are followed and what are the standard procedures used in setting up marketing plans, media plans, billboard advertising, brand perception, switching studies, etc. The second set of requests for production in this case refer to each of these categories and a number of others and each witness will be asked what are switching studies? What are media plans?, etc. in some detail.

The witness may also be asked about correspondence or conversations between Lorillard advertising and marketing people and outside advertising agencies on the health consequences of smoking, specifically lung cancer, emphysema and addiction. We believe there is nothing in this category.

The witness may be asked about Lorillard international business which existed up until 1977 or 1978, including marketing of cigarettes overseas without a warning.

The witness may be asked about any instance when one company manufactured cigarettes sold under another company's name. The example that came up in the deposition was Philip Morris marketing some cigarettes overseas manufactured by Liggett.

Precise hierarchy of command at Lorillard on each phase of marketing and advertising will be reviewed.

Bob Ave will probably be questioned thoroughly about who he relies on in connection with the scientific controversy. This seems to boil down to Alex Spears and perhaps Fred Schultz. Curt Judge was questioned thoroughly about Spears' background. Ave may also be asked about R & D work he is aware of.

Ave and Mau may be asked some detailed questions about Valerie Freedman and other brand managers in terms of their duties.

Curt Judge testified that there are two group brand managers. He said that the brand managers on True and Kent report to Mike Burke and the brand manager on Newport reports to George Telford. He testified that in the new product area Tom Mau is the one reported to. Apparently Mau handles Satin. Housekeeping brands which do not advertise and have limited sales promotion include Triumph, Max and Old Gold. They have no brand manager.

Judge testified that Ave would be able to describe earlier structures within advertising and marketing.

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Ave and/or Mau may be asked what changes were made at Lorillard to improve the quality of the product back at the time Curt Judge came with the company. Curt testified that he improved quality control by spending more money for packaging and other areas. Ave will probably be questioned about this.

Ave will probably be asked about the structure of Loew's in detail along the same lines Curt Judge was questioned.

Ave and Mau will probably be asked about other businesses that Loew's Theatres runs, including CNA and Bulova Watch.

Do you try to create a product image?--Yes. What was it in 1972 re True?--Trying to create "low tar and good taste." Did Lorillard try to change that image up to 1982?--No--but we did change the campaign.

Why did Lorillard drop out of the Tobacco Institute in the mid-1960s--Curt said it was because the membership developed a code which said no tar and nicotine could be put on the packages, but the FTC came out with a report saying that the public would appreciate the numbers. Lorillard wanted to give them those numbers and thus felt uncomfortable remaining in TI.

Lots of bias questions. Are the voluntary agencies biased? Is the federal government biased? Is the Surgeon General biased? Is the Tobacco Institute biased?

"I would have to be advised by scientists I rely on that the causation link has been proven and that there was more than a statistical link."

Exhibit 10 at the Judge deposition was a document called "Smoking Controversy: A Perspective." It was put out by the Tobacco Institute. Judge was referred to a statement that said something along the lines "we are becoming paranoid." This was presented to Mr. Judge as though the "we" was the tobacco industry. The line of questioning was highly misleading since defense counsel reads the statement as meaning a rhetorical we, referring to the public becoming paranoid over the issue, rather than the tobacco industry. Ave and Mau, especially Ave, will have to be prepped on this.

Curt was asked if the company has a responsibility to prove that cigarettes do not cause cancer. He handled this by saying that he didn't know how you could possibly prove a negative scientific proposition.

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When asked what Lorillard would do if the government no longer required the warning, Curt said that he just didn't know and that was a question which would take weeks of study and consultation with a number of people including Spears, Stevens and Ave.

Does the health warning have an effect on sales?--The Surgeon General says 30 million people have quit, and presumably some of that is due to warning labels.

What is the basis for smokers nonacceptance of the relationship? "I suspect people enjoy smoking. But I don't know what is in people's minds. There is a difference between being aware of the controversy and believing that causation has been established."

Curt says that he doesn't think Lorillard has ever done studies with respect to why people want low tar and nicotine cigarettes. His reason for taking this position is that he knows the studies reveal the whys but he doesn't think the studies were done for the purpose of learning. In other words, he thinks volunteer information came back. This distinction is a subtle one, and, even if accurate, has to be plumbed out carefully with other witnesses.

Ave will be asked how Lorillard decides which magazines it advertises in.

Ave and Mau will both be asked if they use marketing statistics to guide them in marketing True cigarettes. Obviously they have to say yes to this. They will then be asked why they are willing to rely on statistics for marketing and advertising but not willing to rely on overwhelming statistical evidence regarding causation. This is one that they have to treat as an apples and oranges comparison involving science with which they are not intimately familiar.

Ave and Mau will probably be asked what their definition of habit is. Curt said it was something done on a regular and frequent basis.

Ave at least will probably be asked what he understands to be the gaps in knowledge with respect to the primary issue.

Ave and Mau may also be asked specifically about each of the brand managers, including Gordon Flinn and Valerie Freedman. How did they come to leave the company, what was their work like?

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Ave and Mau will probably also be asked what would happen if the company ceased to advertise. Curt said that he would have to guess but that he thought there would be a tendency to freeze brand share trends. New brands would have great difficulty succeeding. Companies might be more profitable but there would not be significant changes in trends.

Curt was also asked what would happen if the Tobacco Institute was not permitted to present its side of the controversy. Curt said he didn't think it would have much effect because the TI presentation has not had much effect. He said TI public relations gets minimum publicity. Thirty million people have quit. "People look at what we say and think we are biased."

The witnesses will probably be asked if they think cigarette smoking plays a role as opposed to a cause? Other words may be used like "contributing factor" or "cocarcinogen" or "synergism."

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Source: https://www.industrydocuments.ucsf.edu/docs/knbb0003